THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24834 of 2006

Dated: 04-12-2006

Between:

B. Papamma and others.

..... PETITIONERS

AND

The Deputy Director & Mandal Revenue Officer,
Qutubullapur and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.24834 of 2006

ORDER:

The petitioners, who are fourteen in number, are allegedly in possession of different extents of land admeasuring about 400 sq. yards to 1200 sq.yards in survey No.191 situated at Nizampet Village, Qutubullapur Mandal, Ranga Reddy District. They also allege that they raised small structures with one room after obtaining necessary permission granted by Nizampet Gram Panchayat. They allegedly applied to the Government/competent authority seeking to regularize their occupation as per the orders of the Government in G.O.Ms.No.1601 dated 29-08-2005. When they were making reconstruction of the structures, which were collapsed in heavy rains, the respondents interfered with their construction, aggrieved by which the present writ petition is filed.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (Assignment) has obtained instructions. He submits that the land in survey No.191 is Government land, that there is no encroachment on the land and that at present the land is in Government custody and the petitioners are not in possession. Therefore, the disputed question of fact cannot be decided in a writ petition. If the petitioners have obtained necessary permission from the Gram Panchayat for construction as alleged, the Mandal Revenue Officer (MRO) may conduct enquiry and take necessary action in accordance with law. It shall be open to the petitioners to make a detailed explanation along with necessary evidence before MRO.

The writ petition, with the above observations, is accordingly disposed of without expressing any opinion on the rights of the petitioners. No costs.

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(**V.V.S.RAO, J**)

04th December, 2006

ghn